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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,133	03/02/2000	Jonathan Edwards	2114.P005	4810

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[REDACTED] EXAMINER

JOHNSON, MARLON B

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/517,133	EDWARDS ET AL.
	Examiner Marlon Johnson	Art Unit 2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 02 March 2000.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8, 11-17, and 20 is/are rejected.
- 7) Claim(s) 9,10,18 and 19 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 March 2000 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

## **Detailed Action**

### ***Specification***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "No" and "No" have both been used to designate the arrows leading from Box 256. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to because, in Fig. 6, the "No" arrow leading from Box 264 is pointing to Box 266, but on page 14, lines 1-9 of the specification, the "Yes" arrow is supposed be pointion from Box 264 to Box 266. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections – 35 U.S.C. 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In considering claim 20,

On page 21, line 11, the term "...the second application" has no clear antecedent basis, as there has been no previous mention of a second application within the independent claim.

***Claim Rejections – 35 U.S.C. 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tso et al. (6,421,733) and further in view of Li et al. (6,119,165).

In considering claims 1 and 11,

Tso et al. discloses a method, and a readable medium having encoded thereon instructions, for allowing unshared applications executing within a terminal server environment to interact with clients of a terminal server, comprising:

sharing a first application (web browser) with a client of a server, wherein said sharing comprises executing the first application on the server and routing by the terminal server of input/output for the first application to the client (see Fig. 3; Browser 32; Fig. 4, Browser Window 38; col. 9, lines 56-65); and

executing a second application on the server, said second application being unshared and without routing by the terminal server of input/output for the second application to the client (see col. 9, lines 11-25);

Although Tso et al. shows substantial features of the claimed invention, he fails to disclose determining, by the second application, a session identifier for the client corresponding to the sharing of the first application. However, Li et al., whose invention is a method and system for controlled distribution of application programs in a computer network, discloses such a determination of a session identifier for the client (see col. 3, lines 55-59, lines 66-67; col. 4, lines 1-10, lines 17-23). Therefore, given the teachings of Li et al., it would have been obvious for a person having ordinary skills in the art to modify Tso et al. by determining a session identifier for the client corresponding to the sharing of the first application in order to establish a connection between the first application and the second application.

Additionally,

Li et al. discloses a method and medium using the session identifier to send a message to the client (see col. 4, lines 24-39).

In considering claim 2,

Tso et al. discloses a method wherein the first application is unaware it is being shared (as there is no indication from the server to the client, or vice-versa, the application is being used by the other side) (see col. 4, lines 6-13).

In considering claims 3 and 12,

Li et al. discloses a method and medium further comprising:

using the session identifier to establishing an input/output communication channel with the client (see col. 4, lines 17-23).

In considering claims 4 and 13,

Li et al. discloses a method and medium further comprising:

receiving over said communication channel a response to the message (via resubmission of HTTP request) (see col. 4, lines 11-16).

In considering claims 5, 7, 14, and 16,

Tso et al. discloses a method and medium further comprising:

monitoring, by the second application, of accessing of resources by the first application (see col. 3, lines 34-40); and

determining, by the second application, an error condition (virus free) arising from accessing a particular resource by the first application (see col. 9, lines 11-25);

Additionally,

Li et al. discloses a method and medium further comprising:

wherein the message concerns the error condition and the message is sent to the client over said communication channel (see col. 4, lines 23-46; Fig. 3, “InterScan Proxy Monitor” window).

In considering claims 6, 8, 15, and 17,

Li et al. discloses a method and medium wherein the second application is a virus scanner, and wherein the error condition is a virus detected in the particular resource (see col. 3, lines 40-48).

#### ***Allowable Subject Matter***

7. Claims 9, 10, 18, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. Claim 20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (Wang et al. 6085249, Sampath et al. 6266774, Ji et al. 5623600, Heath et al. 6006034, Chen et al. 5960170).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marlon Johnson whose telephone number is (703) 305-4642. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess, can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3230.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marlon B. Johnson



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